

Status Summary Table of EPA Title VI Administrative Complaints (8/24/04)

Table 1: Title VI Complaints by Status Category/subcategory		Number (150 Total)	Percent	Explanation
Pending	Under review for possible investigation/rejection/referral	13	08%	Complaints received by EPA, but for which no decision has yet been made to either reject, accept for investigation, or refer to another federal agency. Includes complaints listed with “clarification requested” status.
	Accepted for investigation	18	12%	Complaints which met the regulatory requirements for an investigation (40 C.F.R. Part 7) and were accepted for investigation.
	Suspended	01	01%	Complaints received by EPA that are currently in litigation concerning matters related to their Title VI complaint.
	Total Pending	32	21%	Complaints accepted for investigation <u>plus</u> the number of complaints under review for possible investigation.
Closed	Rejected for investigation	85	57%	Complaints received by EPA, but not accepted for investigation because they did not meet the regulatory requirements (40 C.F.R. Part 7) (e.g., no recipient of EPA financial assistance; complaint filed more than 180 days after the alleged discriminatory act). (See Table 2 for more information)
	Informally resolved	02	01%	Accepted complaints which have reached a documented resolution by informal voluntary negotiations, including Alternative Dispute Resolution (ADR).
	Dismissed after acceptance	28	19%	Complaints accepted for investigation, but later dismissed and the file closed. (See table 3 for more information.)
	Referral to another federal agency	03	02%	Complaints received by EPA, but not accepted for investigation because another federal agency has jurisdiction over the issues described in the complaint.
	Total Closed	118	79%	Note: OCR applies regulatory requirements to each allegation in a complaint. Those allegations not meeting requirements will be rejected. However, if any allegation is accepted for investigation, the complaint is represented in the tally here as accepted.

Table 2: Reasons for Rejection of Complaints	Number	Percent of Rejected Complaints
No recipient of EPA financial assistance involved	33	39%
Insufficient allegations to constitute a complaint	20	24%
Filed after expiration of 180 day deadline	25	29%
Allegations unsupported by facts	3	4%
Already in court litigation	9	11%
Moot (challenged permit expired or w/drawn)	12	14%
Note: Some complaints were rejected for more than one reason.		

Table 3: Reasons for Dismissal of Complaints	Number
Permit application withdrawn	1
Permit denied/Appeals exhausted	4
Permit application inactive	2
Complainant failed to provide required information	1
No adverse impact found	12
No factual support	1
No intentional discrimination found	2
Complaint withdrawn by complainant	7
Total	28